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PTO/SB/21 (08-00)

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## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

		Application Number	10/033,190
		Filing Date	October 29, 2001
		First Named Inventor	Connors
		Group Art Unit	1632
		Examiner Name	
Total Number of Pages in This Submission	272	Attorney Docket Number	EP01-002C

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### ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment / Response	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): <b>return receipt postcard</b>
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<input type="checkbox"/> Response to Missing Parts/ Incomplete Application		Remarks
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

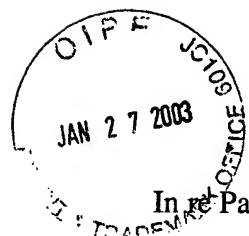
Firm or Individual name	Michael J. Atkins
Signature	<i>michael J. Atkins</i>
Date	January 23, 2003

### CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date:

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Signature	<i>Angela Law</i>	Date	January 23, 2003

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of Conners *et al.*

Application No.: 10/033,190

Filed: October 29, 2001

For: IDENTIFICATION AND  
CHARACTERIZATION OF AN  
ANTHOCYANIN MUTANT (ANT1)  
IN TOMATO

Confirmation No.: 7347

Art Unit: 1632

Examiner: Unknown

Attorney Docket No.: EP01-002C

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**INFORMATION DISCLOSURE STATEMENT AND**  
**STATEMENT UNDER 37 C.F.R. §1.97(e)**

Assistant Commissioner for Patents  
Washington, DC 20231

Sir:

In accordance with 37 CFR §1.56, this Information Disclosure Statement is being submitted for the above-referenced application.

Applicant requests the Office to consider this Information Disclosure Statement under 37 C.F.R. §1.97 (b). Accordingly, applicant states, pursuant to §1.97 (e) that the information contained in the attached PTO Form 1449 was first cited in the International Search Report (copy attached) from the International Searching Authority in the counterpart PCT application not more than three months prior to the filing of this statement.

In accordance with §1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined by 37 CFR §1.56 exists.

In accordance with §1.97(h), the disclosure contained herein is not intended to constitute an admission that any patent, publication, or other information referred to is "prior art" or "analogous art" for this invention.

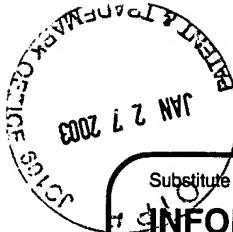
The Commissioner is hereby authorized to charge any fees, if necessary, to Deposit  
Account No. 50-1108.

Respectfully Submitted,

Dated: January 23, 2003

Michael J. Atkins  
Michael J. Atkins      Reg. No. 35,431

**EXELIXIS, INC.**  
P.O. Box 511, 170 Harbor Way  
South San Francisco, California 94083-0511  
Tel: (650) 837-8304; Fax: (650) 837-8234



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Substitute for form 1449A/PTO

## **INFORMATION DISCLOSURE STATEMENT BY APPLICANT**

*(use as many sheets as necessary)*

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<i><b>Complete If Known</b></i>	
Application Number	10/033,190
Filing Date	October 29, 2001
First Named Inventor	Connors
Group Art Unit	1632
Examiner Name	Unknown
Attorney Docket Number	EP01-002C

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## **U.S. PATENT DOCUMENTS**

## **FOREIGN PATENT DOCUMENTS**

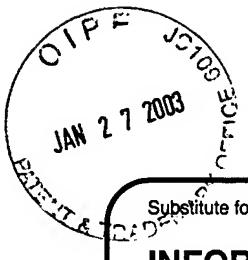
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<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04.

<sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

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## **INFORMATION DISCLOSURE STATEMENT BY APPLICANT**

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Sheet

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<i>Complete if Known</i>	
Application Number	10/033,190
Filing Date	October 29, 2001
First Named Inventor	Conners
Group Art Unit	1632
Examiner Name	Unknown
Attorney Docket Number	EP01-002C

#### **OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS**

Examiner Signature		Date Considered	
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